

**TOWN OF BRIDGTON MUNICIPAL SOLID WASTE PAY-PER-BAG  
ORDINANCE**

PREPARED FOR TOWN MEETING REFERENDUM  
ON NOVEMBER 8, 2022

## TOWN OF BRIDGTON MUNICIPAL SOLID WASTE PAY-PER-BAG ORDINANCE

### Section 1. Purpose

The purpose of this Ordinance is to establish a Pay-Per-Bag system for disposal of municipal solid waste (MSW), as defined in Section 4. Municipal solid waste is a primary health, safety, and environmental concern to all residents, and it is essential that the community develop a cost-effective, fair, and efficient MSW disposal program. A Pay-Per-Bag program promotes equity and fairness by linking the cost of MSW disposal to the amount of waste generated by a person, household, or business. Through implementation of the Pay-Per-Bag program, the Town of Bridgton encourages all residents and businesses to minimize their refuse through recycling and composting.

### Section 2. Authority

This Ordinance is adopted pursuant to and in accordance with Article VIII, Part Second of the Constitution of the State of Maine and 30-A M.R.S.A. § 3001 *et seq.*

### Section 3. Scope

This Ordinance applies to the disposal of MSW, as defined in Section 4, in the Town of Bridgton.

### Section 4. Definitions

The following terms shall have the following definitions for purposes of this Ordinance. Any undefined term shall have its common, ordinary meaning.

**Commercial hauler** – A person, firm, corporation, or other entity that collects, recycles, or hauls MSW for a fee.

**Compost** – A residual that has undergone biological decomposition of organic residuals under predominantly aerobic conditions and controlled temperatures between 110° and 160° F.

**Designated bag** – An approved bag, issued by the Town of Bridgton pursuant to this Ordinance, in which MSW must be disposed of at the transfer station.

**Municipal solid waste (MSW)** – Solid waste generated by or emanating from ordinary residential household or commercial sources, except prohibited waste. MSW includes, but is not limited to, food scraps, garbage, trash, rubbish, and refuse.

**Person** – An individual, corporation, trust, estate, partnership, association, joint venture, or other legal entity.

**Prohibited waste** – (1) Hazardous waste, hospital waste, infectious waste, human or animal fecal waste, flammable liquids, pesticides, herbicides, fungicides, paint waste and pigments, construction and demolition debris, special waste, laboratory chemicals, biohazard materials, and hot ashes, as any of these terms are defined by federal or state law; and (2) any other material so designated by the municipal officers.

**Recyclable material** – (1) Paperboard, newspaper, glass, magazines, junk mail, cardboard, plastic and aluminum cans and foil; and (2) any other material so designated by the municipal officers.

**Transfer station** – The municipal facility located in the Town of Bridgton for the collection and disposal of solid waste for trucking to a waste facility.

#### **Section 5. Designated Bag Required**

- A. No person may dispose of MSW, other than recyclable material and compost, at the transfer station unless it is in a designated bag.
- B. Commercial haulers may pick up MSW, other than recyclable material and compost, only in a designated bag.

#### **Section 6. Administration and Fees**

- A. The municipal officers of the Town of Bridgton shall administer and enforce this Ordinance.
- B. The municipal officers shall annually set the fee for designated bags.
- C. No later than six months after the effective date of this Ordinance, the municipal officers shall issue an order establishing when and where designated bags will be made available.

#### **Section 7. Enforcement and Penalties**

Any violation of this Ordinance is deemed to be a nuisance. The municipal officers or their duly authorized representatives are responsible for enforcing the provisions of this Ordinance. The municipal officers are authorized to institute any and all actions, legal or equitable, that are necessary or appropriate in carrying out this responsibility. Any person who violates or continues to violate any provision of this Ordinance after receiving notice

of such violation is subject to such fines, penalties, actions and orders as are ordered by the municipal officers.

**Section 8. Severability; Other Laws; Effective Date**

- A. If any provision of this Ordinance is determined to be unenforceable, the remaining provisions shall continue in full force and effect.
- B. This Ordinance does not relieve a person of the obligation to complying with all other applicable federal, state, or municipal laws, rules, ordinances, or policies.
- C. This Ordinance shall become effective upon the later of (1) the enactment of this Ordinance by the legislative body of the Town of Bridgton and (2) the issuance of an order by the municipal officers in accordance with Section 6.C.